

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-404

June 24, 1998

CENTRAL MAINE POWER COMPANY
Request for Approval of
Affiliated Interest Transaction
With Union Water Power Company
for Pole Setting Services

ORDER

WELCH, Chairman; NUGENT, Commissioner

I. SUMMARY

In this Order we approve affiliated interest transactions between Central Maine Power Company (CMP) and Union Water Power Company (Union) for pole setting services for the period of September 1998 through December 2000.

II. BACKGROUND AND DECISION

On January 27, 1998, the Commission approved affiliated transactions between CMP and Union for pole setting services. *Central Maine Power Company, Petition for Approval of Affiliated Interest Transaction with Union Water Power Company for Pole Setting Services and Utility Construction Services*, Docket No. 97-982 (Jan. 27, 1998). At that time, Union had recently purchased Gibbs Brothers, CMP's primary vendor for pole setting services. Union is a wholly owned subsidiary of CMP. The Commission approved the affiliated transactions on an interim basis and directed CMP to solicit bids from all qualified vendors for pole setting services to be performed after September 1, 1998. If Union was selected as a result of the bidding, CMP was required to seek new approval from the Commission.

On May 29, 1998, CMP filed a request for approval of an affiliated interest transaction with Union. CMP sought a protective order to cover bidding documents in support of its petition. The Hearing Examiner issued a Temporary Protective Order on June 4, 1998. CMP filed the information subject to the protective order on June 5 and June 10, 1998.

CMP's petition reveals that CMP sought bids from four known vendors: Coutts Brothers, On Target Division of Union Water, Lucas Tree Expert Co. and S/L Construction. Only Lucas and On

Target submitted sufficiently complete bid responses to the request for quotation. Under the analysis undertaken by CMP, Union's bid provided the least-cost alternative. We approve the affiliated interest transactions based on the materials submitted by CMP indicating that Union Water submitted the lowest bids.

Accordingly, we

O R D E R

That the arrangement between Central Maine Power Company and Union Water Power Company described in CMP's petition filed May 29, 1998 as supplemented by information filed on June 5, 1998 and June 10, 1998 (both confidential), is approved pursuant to 35-A M.R.S.A. § 707.

Dated at Augusta, Maine this 24th day of June, 1998.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent

NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note:The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.